

## ARCHITECTURAL EXAMINING BOARD[193B]

### Adopted and Filed

Pursuant to the authority of Iowa Code section 544A.29, the Architectural Examining Board hereby amends Chapter 3, “Continuing Education,” Iowa Administrative Code.

The amendments are a result of 2017 Iowa Acts, Senate File 408, which requires licensure rather than registration of architects practicing in this state. This bill passed the Iowa Senate on March 28, 2017, 49-0, and passed the Iowa House on April 6, 2017, 96-0; it was signed by then Governor Branstad on May 11, 2017. The amendments change terminology from registered/registration to licensed/licensure.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 3171C** on July 5, 2017. A public hearing was held on July 25, 2017. There were a few comments in response to the Notice. Most of the feedback consisted of questions regarding the timing of obtaining a new seal. Two responses were supportive, and one questioned whether “architect” needed any modifier. These amendments are identical to those published under Notice.

The amendments are subject to waiver or variance pursuant to 193—Chapter 5.

The amendments were adopted by the Board on August 22, 2017.

After analysis and review of this rule making, the Professional Licensing and Regulation Bureau determined that there will be no impact on jobs and no fiscal impact to the state.

These amendments are intended to implement Iowa Code chapter 544A as amended by 2017 Iowa Acts, Senate File 408.

These amendments will become effective November 1, 2017.

The following amendments are adopted.

ITEM 1. Amend rule 193B—3.1(544A,272C) as follows:

**193B—3.1(544A,272C) Continuing education.** The following rules adopted by the architectural examining board are in compliance with Iowa Code chapter 544A and section 272C.2 requiring professional and occupational licensees to participate in a continuing education program as a condition of ~~registration~~ license renewal.

ITEM 2. Amend rule **193B—3.2(544A,272C)**, definition of “Continuing education,” as follows:

“*Continuing education*” or “*CE*” means postlicensure learning that enables a ~~registered~~ licensed architect to increase or update knowledge of and competence in technical and professional subjects related to the practice of architecture to safeguard the public’s health, safety, and welfare.

ITEM 3. Amend rule 193B—3.3(544A,272C) as follows:

**193B—3.3(544A,272C) Basic requirements.**

**3.3(1)** To renew ~~registration~~ licensure, an architect must, in addition to meeting all other requirements, complete a minimum of 24 CEHs for each 24-month period since the architect’s last renewal of initial ~~registration~~ licensure or be exempt from these continuing education requirements as provided in rule 193B—3.5(544A,272C). Failure to comply with these requirements may result in nonrenewal of the architect’s ~~registration~~ license.

**3.3(2) and 3.3(3)** No change.

**3.3(4)** An architect who holds ~~registration~~ licensure in Iowa for less than 12 months from the date of initial ~~registration~~ licensure or who is reinstating to active status shall not be required to report CEHs at the first ~~registration~~ license renewal. An architect who holds ~~registration~~ licensure in Iowa for more than 12 months, but less than 23 months from the date of initial ~~registration~~ licensure or who is reinstating to active status, shall be required to report 12 CEHs earned in the preceding 12 months at the first ~~registration~~ license renewal.

ITEM 4. Amend rule 193B—3.4(544A,272C) as follows:

**193B—3.4(544A,272C) Authorized structured educational activities.** The following list may be used by all ~~registrants~~ licensees in determining the types of activities which may fulfill CE requirements if the activities are conducted as structured educational activities on health, safety, and welfare subjects:

1. to 4. No change.

ITEM 5. Amend rule 193B—3.5(544A,272C) as follows:

**193B—3.5(544A,272C) Exemptions.**

**3.5(1)** As provided in Iowa Code section 272C.2(4), a ~~registered~~ licensed architect shall be deemed to have complied with the continuing education requirements set forth in this chapter if the architect attests in the required affidavit that for not less than 21 months of the preceding two-year period of ~~registration~~ licensure, the architect:

*a.* No change.

*b.* Is a resident of another state or district having a continuing education requirement for ~~registration~~ licensure as an architect and has complied with all requirements of that state or district for practice therein; or

*c.* No change.

**3.5(2)** Architects who so attest on their affidavits that they are retired from active practice or are not engaged in active practice may maintain their ~~registrations~~ licenses in retired or inactive status without satisfying CE requirements. Such architects may, however, reenter practice only after satisfying the board of their proficiency. Proficiency may be established by any one of the following:

*a. to c.* No change.

**3.5(3)** No change.

[Filed 9/5/17, effective 11/1/17]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 9/27/17.